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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,974	08/18/2003	Martin Michaelis	DEAV20020064US NP	3394
5487	7590	07/03/2007		
ROSS J. OEHLER SANOFI-AVENTIS U.S. LLC 1041 ROUTE 202-206 MAIL CODE: D303A BRIDGEWATER, NJ 08807			EXAMINER KWON, BRIAN YONG S	
			ART UNIT 1614	PAPER NUMBER
			NOTIFICATION DATE 07/03/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Art Unit: 1614

Non-Responsive Election of Species Requirement

Applicants election, with traverse, with the Group II along with (N-[(S)-2-dipheylamino-2-(5-oxo-4,5-dihydro[1,3,4]oxadiazol-2-yl)ethyl]-2-(2-methylaminopyrimidin-4-yl)-1H-indole-5-carboxamide is acknowledged.

As seen in the restriction/election requirement mailed 12/07/06 (page 3) below, the examiner also required the election of a single disclosed species from diseases.

3. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species from the compound(s) and disease(s), for example (i) (N-[(S)-2-dipheylamino-2-(5-oxo-4,5-dihydro[1,3,4]oxadiazol-2-yl)ethyl]-2-(2-methylaminopyrimidin-4-yl)-1H-indole-5-carboxamide) and (ii) arthritis pain, under the instant claims of the elected Group. Moreover, whatever specific compound and disease are ultimately elected, applicants are required to list all claims readable thereon.

However, the applicant's response does not contain a single disclosed species from "pain" diseases or condition and is considered non-responsive. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

BRIAN-YONG S. KWON
PRIMARY EXAMINER

